

IN THE EXECUTIVE ETHICS COMMISSION
OF THE STATE OF ILLINOIS

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EXECUTIVE
ETHICS COMMISSION

RICARDO MEZA, in his capacity as)
EXECUTIVE INSPECTOR GENERAL for)
AGENCIES OF THE GOVERNOR, State)
Of Illinois,)
Petitioner,)
v.)
JERRY CAMERON,)
Respondent.)

No. 13-EEC-011

DECISION

This cause is before the Executive Ethics Commission (Commission) pursuant to the parties' stipulation of facts and liability and petitioner's motion for summary judgment.

Petitioner filed the present verified complaint with the Commission on December 18, 2012. A certificate of service indicates that respondent was personally served a copy of the complaint on January 7, 2013.

On March 6, 2013, the Commission entered an order finding the complaint sufficient to proceed with respect to Sections 10-10 of the State Officials and Employees Ethics Act (Ethics Act). 5 ILCS 430/10-10.

On March 28, 2013, the parties entered into a stipulation of facts and liability. The same day, petitioner filed a motion for summary judgment based upon this stipulation.

FINDINGS OF FACT

The record of proceedings has been reviewed by the members of the Executive Ethics Commission. Based upon this record, the Commission makes the following findings of fact:

1. Respondent, Jerry Cameron ("Respondent"), at all relevant times, was a Civil Engineer VI with the Illinois Department of Transportation's Division of Highways, Bureau of Design and Environment.
2. Respondent had a duty to comply with the Illinois State Officials and Employees Ethics Act ("Ethics Act"), 5 ILCS §430/1-1 *et seq.*, and with all policies adopted and implemented pursuant to the Act.
3. As an Engineer of Project Management (Engineer VI) in IDOT's Division of Highways, Bureau of Design and Environment, Respondent reviews all of the confidential

engineering estimates created by IDOT engineers for each project, both before and after a project is let. Respondent also serves as a point of contact for highway contractors who have questions or concerns regarding bids on IDOT contracts.

4. G.M. Sipes Construction, Inc. ("Sipes Construction") is a road construction and repair company based in Rushville, Illinois. Joe Sipes ("Sipes") is the Vice President of Sipes Construction.
5. At all relevant times, Sipes Construction was a contractor prequalified to bid on construction projects with IDOT and therefore a prohibited source as defined in Section 1-5 of the Ethics Act.
6. Sipes submitted a bid and was the as read low bidder on IDOT contract number 78242 at IDOT's June 2011 letting. However, Respondent found an error in IDOT's plans for that contract. Respondent informed Sipes that due to this error, all of the bids for the contract would have to be rejected and the contract would have to be readvertised. All bids for IDOT Contract No. 78242 were rejected, and the project was readvertised.
7. Respondent and Sipes had lunch at the Chesapeake Seafood House in Springfield in late July 2011.
8. At that lunch Sipes offered to give Respondent four tickets to an upcoming St. Louis Cardinals baseball game against the Chicago Cubs. The value of the baseball tickets was approximately \$77 dollars each or \$308 total.
9. Respondent accepted the baseball tickets from Sipes. Respondent did not promptly pay fair market value for the baseball tickets.
10. On July 29, 2011, Respondent attended the Cardinals game with two friends and a friend of theirs, using the tickets that Sipes had given him.
11. On August 5, 2011, the bids on IDOT Contract No. 78242 were opened. Sipes Construction was not the low bidder and was not awarded the contract.
12. Respondent told the OEIG that he made a clothing donation to Goodwill Industries on December 31, 2011. The parties do not agree upon the value of the donation.
13. Respondent was suspended from work for two weeks without pay as a result of the OEIG investigation.
14. In the interests of resolving this matter and avoiding the costs of litigation, Respondent admits his conduct violated the gift ban provisions of the Ethics Act. Petitioner and Respondent recommend a fine in the amount of \$250.

CONCLUSIONS OF LAW

1. Respondent Jerry Cameron was at all times relevant to this complaint a State employee, as "employee" is defined in the State Officials and Employees Ethics Act ("Act") to include regular employees and appointees. 5 ILCS 430/1-5.
2. The Executive Ethics Commission has jurisdiction over respondent in the matter of his alleged violation of Section 10-10 (Gift Ban) of the Act (5 ILCS 430/10-10).
3. By accepting baseball tickets valued at \$308.00 from a prohibited source in July of 2011, respondent violated Section 10-10 (Gift Ban) of the Ethics Act. Furthermore, respondent has admitted that his conduct violated the Gift Ban provisions of the Ethics Act.
4. The complaint in this matter was timely filed.
5. The Executive Ethics Commission may levy an administrative fine of up to \$5,000 against a person who violates the Act. 5 ILCS 430/50-5(e).
6. The Commission is not bound by the parties' recommendation of a \$250.00 fine, but does not seek to prolong the litigation unnecessarily.

ANALYSIS

In July of 2011, respondent Jerry Cameron violated Section 10-10 of the State Officials and Employees Ethics Act (5 ILCS 430/10-10) when he accepted baseball tickets from a prohibited source for his personal use.

Considering all relevant facts, including respondent's stipulation in this administrative action, and the parties' recommendation for a fine, the Commission sets an administrative fine of \$250.00. 5 ILCS 430/50-5(e).

WHEREFORE, for the foregoing reasons, the Commission finds that Jerry Cameron violated Section 10-10 of the State Officials and Employees Ethics Act (5 ILCS 430/10-10).

IT IS FURTHER ORDERED that an administrative fine of \$250.00 is levied against respondent Jerry Cameron in accordance with his violation of Section 50-5(e) of the State Officials and Employees Ethics Act (5 ILCS 430/50-5(e)).

This is a final administrative decision and subject to the Administrative Review Law.

SO ORDERED.